

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

Express Mail Label Number

Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
MARGARET FORNEY PRESCOTT
APPLICATION NO: 10/534,790
FILED: JULY 20, 2005
FOR: DRUG DELIVERY SYSTEM

MS: Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Restriction Requirement mailed 20 October 2008. A five month petition for extension of time is being submitted concurrently herewith.

Restriction requirement

The Examiner has required restriction between the following groups:

Group I having claims 1-7, drawn to a drug delivery device;

Group II having claims 7-9, drawn to a method of treatment of inflammatory complications following vascular injury; and

Group III having claim 7, drawn to a method of preparing a medicament.

Applicant hereby elects Group I.

The Examiner further requires that, if Group I is elected, Applicant elect a single species for examination from a variety of medical devices, including stents, controlled release matrix, endoluminal paving, and adventitial wrap. Applicant hereby elects stents. Claims 1, 2, 4, 5, and 6 encompass the elected invention.

Applicant acknowledges the right of rejoinder of the process claims should the product claims be found allowable provided that said process claims incorporate all the limitations of an allowed product claim.

Respectfully submitted,

Novartis Pharmaceuticals Corp.
Patents Pharma
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-9587



Daniel J. Woods
Attorney for Applicant
Reg. No. 59,864

Date: 4/20/09